

REMARKS

Applicants note with appreciation the Examiners allowance of claims 1, 4-8 and 31-38. Applicants, however, submit the following comments regarding the Examiner's Reasons for Allowance stated on Page 2 of the Notice of Allowance.

In the Reasons for Allowance, the Examiner stated that in allowing the application, the Examiner has "given the standard meaning to the terms interlayer dielectric layer, interlevel dielectric layer, ILD and IMD," the standard definition applied by the Examiner being "a dielectric layer sandwiched between two different levels of interconnects."

Applicants submit, though, that the terms "interlayer dielectric" may encompass other embodiments not necessarily included in this definition supplied by the Examiner. Such embodiments may include (but are not limited to) the following:

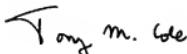
- a) a dielectric layer sandwiched between a surface contact region and an underlying interconnect region;
- b) a dielectric layer sandwiched between a surface contact region and an underlying device;
- c) a dielectric layer sandwiched between two devices;
- d) a dielectric layer sandwiched between an interconnect and an underlying device.

For example, as shown in FIG. 6 of the present application, interlayer dielectric 230 is sandwiched between, for example, a surface contact region or an interconnect and an underlying device that includes a source, drain and/or gate 220. Applicants, therefore, submit that the definition of "interlayer dielectric" supplied by the Examiner in the "reasons for allowance" may not encompass all of the possible different uses of an "interlayer dielectric."

Applicants submit that the terms "interlayer dielectric" used in Applicants' claims encompass any possible use of an interlayer dielectric, including the different embodiments noted above.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,



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